

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division**

**R.M.S. TITANIC, INC.,  
successor-in-interest to  
Titanic Ventures, limited partnership,  
Plaintiff,**

**v.**

**Civil Action No. 2:93cv902**

**THE WRECKED AND ABANDONED VESSEL,  
ITS ENGINES, TACKLE, APPAREL,  
APPURTENANCES, CARGO, ETC., LOCATED  
WITHIN ONE (1) NAUTICAL MILE OF A POINT  
LOCATED AT 41 43' 32" NORTH LATITUDE  
AND 49 56' 49" WEST LONGITUDE,  
BELIEVED TO BE THE R.M.S. TITANIC  
in rem,  
Defendant.**

**STATUS REPORT**

The United States, as *amicus*, and on behalf of its National Oceanic and Atmospheric Administration ("NOAA"), and pursuant to 84 Fed. Reg. 38012, provides the following status update.

On May 20, 2022, NOAA's National Maritime Heritage Program Coordinator, Joseph Hoyt, sent a letter to Stockton Rush, CEO, OceanGate, Inc. notifying him that Section 113 may apply to the company's proposed expedition and requesting information regarding its 2022 plans to visit the *Titanic* wreck and wreck site. *See* Exhibit 1 (May 20, 2022, Letter from Joseph Hoyt to Stockton Rush). That same day, David Concannon submitted a letter to the Court informing the Court of OceanGate Expeditions, Ltd.'s plans for its 2022 *Titanic* Survey Expedition. *See* ECF No. 668. Because OceanGate is not proposing to conduct any "research, exploration, salvage, or other activity that would physically alter or disturb the wreck or wreck site of the RMS *Titanic*," NOAA has determined and advised OceanGate that an authorization pursuant to

Section 113 of Consolidated Appropriations Act, 2017, Pub. L. No. 115-31, 131 Stat. 192 (May 5, 2017), is not required. *See* Exhibit 2 (June 13, 2022, Letter from Dr. Richard W. Spinrad (NOAA Administrator) to David Concannon).

Respectfully submitted,

Jessica D. Aber  
United States Attorney

By: /s/ Kent P. Porter  
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### CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of June, 2022, I will electronically file the foregoing document with the Clerk of Court using the CM/ECF system, which will then send a notification of electronic filing (NEF) to the following:

<b>Brian Andrew Wainger</b> <b>Ryan V.P. Dougherty</b> <b>William R. Poynter</b> Kaleo Legal 4456 Corporation Lane Suite 135 Virginia Beach, VA 23462 Email: <a href="mailto:bwainger@kaleolegal.com">bwainger@kaleolegal.com</a> E-Mail: <a href="mailto:rdougherty@kaleolegal.com">rdougherty@kaleolegal.com</a> E-Mail: <a href="mailto:wpoynter@kaleolegal.com">wpoynter@kaleolegal.com</a>	<b>David G. Barger, VSB #21652</b> GREENBERG TRAURIG, LLP 1750 Tysons Boulevard, Suite 1200 McLean, Virginia 22102 Tel: (703) 749-1300 Fax: (703) 749-1301 E-Mail: <a href="mailto:BargerD@gtlaw.com">BargerD@gtlaw.com</a>
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/s/ Kent P. Porter

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